

In the Claims

This listing of claims, as required by 37 C.F.R. §1.121(c), replaces all prior versions of claims in the application. Deletions therefrom are indicated by strikethrough text or double bracketing for those instances where strikethrough would not be clear, and additions thereto are indicated by underlining.

In the Office Action dated August 17, 2004, some of the claims were not rejected, but only objected to, i.e., depending from a rejected claim, but otherwise allowable if re-written in independent form incorporating all of the limitations of the claim(s) from which the objected to claims depend. Applicant amended the objected to claims to be in independent form and essentially amended the remaining claims to depend from the objected to claims.

In this claims listing, although all previously pending claims have been cancelled without prejudice, Applicant has amended two of the original independent claims, rather than amending the claims previously objected to, and added them as new independent claims. Applicant has further added a third independent claim directed to a device with a single securing member.

For the examiner's convenience, a clean version of the claims is attached hereto as Appendix A ("Clean Version of Claims"). In accordance with 37 C.F.R. §1.121(f), Applicant affirms that the new claims do not contain any new matter or recite any claim limitations not supported by the original written description of embodiments of the invention.

Claims Listing

What is claimed is:

1. (cancelled) ~~A device for use on a trampoline comprising:
a board having a front end, and a back end, wherein said front end and
said back end are each curved up from a horizontal plane of said
trampoline; and
at least one securing member secured to said board, said at least one
securing member adapted to receive a user's feet.~~
2. (cancelled) ~~The device of claim 1, wherein said board is of a shape
selected from a group comprised of generally ovular, generally circular,
generally rectangular, generally hexagonal, and generally elliptical.~~
3. (cancelled) ~~The device of claim 1, wherein said board is a substantially
shallow and generally elongated U-shape.~~
4. (cancelled) ~~The device of claim 1, wherein said board is made of a
material selected from a group comprised of foam, ...~~
5. (cancelled) ~~The device of claim 1, wherein said board is made of a non-
slip material.~~
6. (cancelled) ~~The device of claim 1, wherein a non-slip layer is rigidly
secured to said top surface.~~
7. (cancelled) ~~The device of claim 1, wherein said at least one securing
member is made of a material selected from a group comprised of a
rubber, a rubber-like material, a plastic, a leather, a foam, and a nylon or
other synthetic material.~~

8. (cancelled) ~~The device of claim 1, wherein said at least one securing member further includes an adjustment mechanism.~~
9. (cancelled) ~~The device of claim 8, wherein said adjustment mechanism is selected from a group comprised of a strap with a buckle, a stretchable material, and a hook and loop mechanism.~~
10. (cancelled) ~~The device of claim 1, wherein said at least one securing member consists of a first securing member and a second securing member.~~
11. (cancelled) ~~The device of claim 10, wherein said first securing member arranged in at an angle to said second securing member.~~
12. (cancelled) ~~The device of claim 1, wherein said at least one securing member further includes at least one heel securing member.~~
13. (cancelled) ~~The device of claim 12, wherein said at least one heel securing member further includes an adjustment mechanism.~~
14. (cancelled) ~~The device of claim 12, wherein said at least one securing member and said at least one heel securing member are secured to said board by a mechanism selected from a group comprised of a screw, and a plurality of holes penetrating said board and said at least one securing member and said at least one heel securing member each penetrating one of said plurality of holes and being tied off in a knot at a bottom surface of said board.~~

15. (cancelled) ~~The device of claim 14, wherein said bottom surface further includes a plurality of recesses to accommodate each of said screw or said knot.~~

16. (cancelled) ~~A device for use on a trampoline comprising:~~

~~a board having a top surface, a bottom surface, a front end, and a back end, wherein said front end and said back end are each curved up from a horizontal plane of said trampoline;~~

~~at least one securing member secured to said board, said at least one securing member adapted to receive a user's foot,~~

~~a non-slip layer is rigidly secured to said top surface~~

~~wherein said non-slip layer has a plurality of holes, said board has a plurality of recesses, and each of said at least one securing member penetrates said plurality of holes of said non-slip layer and is secured to said board using a screw or by being tied off in a knot, said knot or a protrusion of said screw being within one of said plurality of recesses within said board.~~

17. (cancelled) ~~A device for use on a trampoline comprising:~~

~~a board having a top surface, a bottom surface, a front end, and a back end, wherein said front end and said back end are each curved up from a horizontal plane of said trampoline, forming a substantially shallow and generally elongated U-shape;~~

~~a non-slip layer rigidly secured to said top surface; and~~

- ~~two securing members attached to said board, each of said two securing members adapted to receive a user's foot.~~
18. (cancelled) ~~The device for use on a trampoline of claim 17, wherein said board is of a shape selected from a group comprised of generally ovular, generally circular, generally rectangular, generally hexagonal, and generally elliptical.~~
19. (cancelled) ~~The device for use on a trampoline of claim 17, wherein said board is made of a material selected from a group comprised of foam ...~~
20. (cancelled) ~~The device for use on a trampoline of claim 17, wherein said board is made of a non-slip material.~~
21. (cancelled) ~~The device for use on a trampoline of claim 17, wherein each of said two securing members is made of a material selected from a group comprised of a rubber, a rubber-like material, a plastic, a leather, a foam, and a nylon or other synthetic material.~~
22. (cancelled) ~~The device for use on a trampoline of claim 17, wherein each of said two securing members further includes an adjustment mechanism.~~
23. (cancelled) ~~The device for use on a trampoline of claim 22, wherein said adjustment mechanism is selected from a group comprised of a strap with a buckle, a stretchable material, and a hook and loop mechanism.~~
24. (cancelled) ~~The device for use on a trampoline of claim 17, wherein said two securing members are arranged in at an angle to one another.~~
25. (cancelled) ~~The device for use on a trampoline of claim 17, wherein each of said two securing members further includes a heel securing member.~~

26. (cancelled) ~~The device for use on a trampoline of claim 25, wherein each of said heel securing members further includes an adjustment mechanism.~~
27. (cancelled) ~~The device for use on a trampoline of claim 25, wherein said at least one securing member and said at least one heel securing member are secured to said board by a mechanism selected from a group comprised of a screw, and a plurality of holes penetrating said board and said at least one securing member and said at least one heel securing member each penetrating one of said plurality of holes and being tied off in a knot at a bottom surface of said board.~~
28. (cancelled) ~~The device for use on a trampoline of claim 27, wherein said bottom surface further includes a plurality of recesses to accommodate each of said screw or said knot.~~
29. (cancelled) ~~A device for use on a trampoline comprising:~~
- ~~a board having a top surface, a bottom surface, a front end, and a back end, wherein said front end and said back end are each curved up from a horizontal plane of said trampoline, forming a substantially shallow and generally elongated U-shape;~~
 - ~~a non-slip layer rigidly secured to said top surface; and~~
 - ~~two securing members attached to said board, each of said two securing members adapted to receive a user's foot wherein said non-slip layer has a plurality of holes, said board has a plurality of recesses, and each of said at least one securing member penetrates said plurality of holes of said non-slip layer and is secured to said board using a screw~~

~~or by being tied off in a knot, said knot or a protrusion of said screw being within one of said plurality of recesses within said board.~~

30. (cancelled) ~~A device used for playing on a trampoline comprising:~~

~~a board having a top surface, a bottom surface, a front end, and a back end, wherein said front end and said back end are both curved upward from a horizontal plane of said trampoline, forming a substantially shallow and generally elongated U-shape;~~

~~a non-slip layer adhered to said top surface;~~

~~a first securing member adapted to receive a user's first foot, said first securing member penetrating through said top surface and attached to said board at said bottom surface; and~~

~~a second securing member adapted to receive a user's second foot, said second securing member penetrating through said top surface and attached to said board at said bottom surface.~~

31. (cancelled) ~~The device used for playing on a trampoline of claim 30, wherein said board is of a shape selected from a group comprised of generally ovular, generally circular, generally rectangular, generally hexagonal, generally hexagonal, and generally elliptical.~~

32. (cancelled) ~~The device used for playing on a trampoline of claim 30, wherein said board is made of a material selected from a group comprised of foam, ...~~

33. (cancelled) ~~The device used for playing on a trampoline of claim 30, wherein said board is made of a non-slip material.~~

34. (cancelled) ~~The device used for playing on a trampoline of claim 30, wherein said first securing member and said second securing member are made of a material selected from a group comprised of a rubber, a rubber-like material, a plastic, a leather, a foam, and a nylon or other synthetic material.~~
35. (cancelled) ~~The device used for playing on a trampoline of claim 30, wherein said first securing member and said second securing member further include an adjustment mechanism.~~
36. (cancelled) ~~The device used for playing on a trampoline of claim 35, wherein said adjustment mechanism is selected from a group comprised of a strap with a buckle, a stretchable material, and a hook and loop mechanism.~~
37. (cancelled) ~~The device used for playing on a trampoline of claim 30, wherein said first securing member and said second securing member are arranged in at an angle to one another.~~
38. (cancelled) ~~The device used for playing on a trampoline of claim 30, wherein said first securing member and said second securing member each further include a heel securing member.~~
39. (cancelled) ~~The device used for playing on a trampoline of claim 38, wherein each of said heel securing members further include an adjustment mechanism.~~
40. (cancelled) ~~The device used for playing on a trampoline of claim 38, wherein each of said heel securing members are secured to said board by~~

~~a mechanism selected from a group comprised of a screw, and a plurality of holes penetrating said board with each of said heel securing members penetrating one of said plurality of holes and being tied off in a knot at a bottom surface of said board.~~

~~41. (cancelled) The device used for playing on a trampoline of claim 40, wherein said bottom surface further includes a plurality of recesses to accommodate each of said screw or said knot.~~

~~42. (cancelled) A device used for playing on a trampoline comprising:~~

~~a board having a top surface, a bottom surface, a front end, and a back end, wherein said front end and said back end are both curved upward from a horizontal plane of said trampoline, forming a substantially shallow and generally elongated U shape, and said board being made of a non-slip material;~~

~~a first securing member adapted to receive a user's first foot, said first securing member penetrating through said top surface and attached to said board at said bottom surface; and~~

~~a second securing member adapted to receive a user's second foot, said second securing member penetrating through said top surface and attached to said board at said bottom surface, wherein said non-slip layer has a plurality of holes, said board has a plurality of recesses, and said first securing member and said second securing member both penetrate said plurality of holes of said non-slip layer and is secured to said board using a screw or by being tied off in a knot, said knot or a~~

~~protrusion of said screw being within one of said plurality of recesses within said board.~~

43. (cancelled) ~~The device of claim 16, wherein said board is of a shape selected from a group comprised of generally oval, generally circular, generally rectangular, generally hexagonal, and generally elliptical.~~

44. (cancelled) ~~The device of claim 16, wherein said board is a substantially shallow and generally elongated U shape.~~

45. (cancelled) ~~The device of claim 16, wherein said board is made of a material selected from a group comprised of foam and polyurethane.~~

46. (cancelled) ~~The device of claim 16, wherein said at least one securing member is made of a material selected from a group comprised of a rubber, a plastic, a leather, a foam, and a nylon.~~

47. (cancelled) ~~The device of claim 16, wherein said at least one securing member consists of a first securing member and a second securing member, wherein said first securing member is arranged at an angle relative to said second securing member.~~

48. (cancelled) ~~The device of claim 16, wherein each of said at least one securing member further includes at least one heel securing member.~~

49. (cancelled) ~~The device for use on a trampoline of claim 20, wherein said board is of a shape selected from a group comprised of generally oval, generally circular, generally rectangular, generally hexagonal, and generally elliptical.~~

50. (cancelled) ~~The device of claim 29, wherein said board is a substantially shallow and generally elongated U-shape.~~
51. (cancelled) ~~The device for use on a trampoline of claim 29, wherein said board is made of a material selected from a group comprised of foam and polyurethane.~~
52. (cancelled) ~~The device for use on a trampoline of claim 29, wherein each of said two securing members is made of a material selected from a group comprised of a rubber, a plastic, a leather, a foam, and a nylon.~~
53. (cancelled) ~~The device for use on a trampoline of claim 29, wherein said two securing members are arranged at an angle to one another.~~
54. (cancelled) ~~The device for use on a trampoline of claim 29, wherein each of said two securing members further includes a heel securing member.~~
55. (cancelled) ~~The device used for playing on a trampoline of claim 42, wherein said board is of a shape selected from a group comprised of generally oval, generally circular, generally rectangular, generally hexagonal, generally hexagonal, and generally elliptical.~~
56. (cancelled) ~~The device of claim 42, wherein said board is a substantially shallow and generally elongated U-shape.~~
57. (cancelled) ~~The device used for playing on a trampoline of claim 42, wherein said board is made of a material selected from a group comprised of foam and polyurethane.~~
58. (cancelled) ~~The device used for playing on a trampoline of claim 42, wherein said first securing member and said second securing member are made of a~~

~~material selected from a group comprised of a rubber, a rubber-like material, a plastic, a leather, a foam, and a nylon.~~

59. (cancelled) ~~The device used for playing on a trampoline of claim 42, wherein said first securing member and said second securing member are arranged at an angle to one another.~~

60. (cancelled) ~~The device used for playing on a trampoline of claim 42, wherein said first securing member and said second securing member both further include a heel securing member.~~

61. (new) A device for use on a trampoline comprising:

a board having a front end, and a back end, wherein said front end and said back end are each curved up from a horizontal plane of said board;
at least one securing member secured to said board, said at least one securing member adapted to receive a user's feet; and
a non-slip gripping layer disposed substantially co-extensively on said board to prevent said user's feet from slipping and to facilitate the gripping of the board by said user's hand.

62. (new) The device of claim 61, wherein said board is of a shape selected from a group comprised of generally ovular, generally circular, generally rectangular, generally hexagonal, and generally elliptical.

63. (new) The device of claim 61, wherein said board is a substantially shallow and generally elongated U-shape.

64. (new) The device of claim 61, wherein said board is made of a material selected from a group comprised of foam and polyurethane.

- 65.(new) The device of claim 61, wherein said at least one securing member is made of a material selected from a group comprised of a rubber, a rubber-like material, a plastic, a leather, a foam, and a nylon or other synthetic material.
- 66.(new) The device of claim 61, wherein said at least one securing member further includes an adjustment mechanism.
- 67.(new) The device of claim 66, wherein said adjustment mechanism is selected from a group comprised of a strap with a buckle, a stretchable material, and a hook-and-loop mechanism.
- 68.(new) The device of claim 61, wherein said at least one securing member consists of a first securing member and a second securing member or a single securing member to secure both of said user's feet to said board.
- 69.(new) The device of claim 68, wherein said first securing member arranged in at an angle to said second securing member.
- 70.(new) The device of claim 61, wherein said at least one securing member further includes at least one heel securing member.
- 71.(new) The device of claim 70, wherein said at least one heel securing member further includes an adjustment mechanism.
- 72.(new) The device of claim 70, wherein said at least one securing member and said at least one heel securing member are secured to said board by a mechanism selected from a group comprised of a screw, and a plurality of holes penetrating said board and said at least one securing member and said at least one heel securing member each penetrating one of said plurality of holes and being tied off in a knot at a bottom surface of said board.

73.(new) The device of claim 72, wherein said bottom surface further includes a plurality of recesses to accommodate each of said screw or said knot.

74.(new) The device of claim 61, wherein said non-slip gripping layer has a plurality of holes, said board has a plurality of recesses, and each of said at least one securing member penetrates said plurality of holes of said non-slip layer and is secured to said board using a screw or by being tied off in a knot, said knot or a protrusion of said screw being within one of said plurality of recesses within said board.

75.(new) A device comprising:

a board having a top surface, a bottom surface, a front end, and a back end, wherein said front end and said back end are each curved up from a horizontal plane of said board, forming a substantially shallow and generally elongated U-shape;

a non-slip gripping layer rigidly securely to said top surface of said board disposed substantially over said entire top surface of said board to prevent a user's feet from slipping and to facilitate the gripping of the board by said user's hand; and

two securing members attached to said board, each of said two securing members adapted to receive one of said user's feet and creating an interference fit between said user's feet and said board.

76. (new) The device of claim 75, wherein said board is of a shape selected from a group comprised of generally ovular, generally circular, generally rectangular, generally hexagonal, and generally elliptical.

77. (new) The device of claim 75, wherein said board is made of a material selected from a group comprised of foam and polyurethane.
78. (new) The device of claim 75, wherein said board is made of a non-slip material.
79. (new) The device of claim 75, wherein each of said two securing members is made of a material selected from a group comprised of a rubber, a rubber-like material, a plastic, a leather, a foam, and a nylon or other synthetic material.
80. (new) The device of claim 75, wherein each of said two securing members further includes an adjustment mechanism.
81. (new) The device of claim 80, wherein said adjustment mechanism is selected from a group comprised of a strap with a buckle, a stretchable material, and a hook-and-loop mechanism.
82. (new) The device of claim 75, wherein said two securing members are arranged in at an angle to one another.
83. (new) The device of claim 75, wherein at least one of said two securing members further includes a heel securing member.
84. (new) The device of claim 83, wherein said heel securing member further includes an adjustment mechanism.
85. (new) The device of claim 83, wherein said at least one securing member and said at least one heel securing member are secured to said board by a mechanism selected from a group comprised of a screw, and a plurality of holes penetrating said board and said at least one securing member and said

at least one heel securing member each penetrating one of said plurality of holes and being tied off in a knot at a bottom surface of said board.

86. (new) The device of claim 85, wherein said bottom surface further includes a plurality of recesses to accommodate each of said screw or said knot.

87. (new) The device of claim 75, wherein said non-slip gripping layer has a plurality of holes, said board has a plurality of recesses, and each of said at least one securing member penetrates said plurality of holes of said non-slip layer and is secured to said board using a screw or by being tied off in a knot, said knot or a protrusion of said screw being within one of said plurality of recesses within said board.

88.(new) A device used for playing on a trampoline comprising:

a board having a top surface, a bottom surface, a front end, and a back end, wherein said front end and said back end are both curved upward from a horizontal plane of said trampoline, forming a substantially shallow and generally elongated U-shape;

a non-slip gripping layer adhered to and substantially coextensive with said top surface of said board, said non-slip gripping layer preventing a user's feet from slipping and to facilitate gripping of said board by said user's hand; and

a securing member adapted to receive both of said user's feet, said securing member penetrating through said board and attached to said board at said bottom surface.

89. (new) The device used for playing on a trampoline of claim 88, wherein said board is of a shape selected from a group comprised of generally ovular, generally circular, generally rectangular, generally hexagonal, generally hexagonal, and generally elliptical.
90. (new) The device used for playing on a trampoline of claim 88, wherein said board is made of a material selected from a group comprised of foam and polyurethane.
91. (new) The device used for playing on a trampoline of claim 88, wherein said securing member is made of a material selected from a group comprised of a rubber, a rubber-like material, a plastic, a leather, a foam, and a nylon or other synthetic material.
92. (new) The device used for playing on a trampoline of claim 88, wherein said securing member further includes an adjustment mechanism.
93. (new) The device used for playing on a trampoline of claim 92, wherein said adjustment mechanism is selected from a group comprised of a strap with a buckle, a stretchable material, and a hook-and-loop mechanism.
94. (new) The device used for playing on a trampoline of claim 88, wherein said securing member further includes a heel securing member.
95. (new) The device used for playing on a trampoline of claim 94, wherein said heel securing member further include an adjustment mechanism.
96. (new) The device used for playing on a trampoline of claim 94, wherein said heel securing member is secured to said board by a mechanism selected from a group comprised of a screw, and a plurality of holes penetrating said

board with each of said heel securing members penetrating one of said plurality of holes and being tied off in a knot at a bottom surface of said board.

97. (new) The device used for playing on a trampoline of claim 96, wherein said bottom surface of said board further includes a plurality of recesses to accommodate each of said screw or said knot.

98.(new) The device used for playing on a trampoline of claim 88, wherein said non-slip gripping layer has a plurality of holes, said board has a plurality of recesses, and said securing member penetrates said plurality of holes of said non-slip layer and is secured to said board using a screw or by being tied off in a knot, said knot or a protrusion of said screw being within one of said plurality of recesses within said board.

ARGUMENTS

The Examiner's Rejections

Applicant has noted the Office Action's rejections and bases for same. For the following reasons, Applicant respectfully submits that the new claims are in condition for allowance. Applicant respectfully requests that the Examiner consider the arguments and remarks as set forth below and pass the application to issuance.

35 U.S.C. §102(b) Rejections

Claims 16, 29, & 42-60

The Office Action has rejected claims 16, 29, and 42-60 (i.e., all pending claims) under 35 U.S.C. §102(b) as being anticipated by published U.S. Patent Application 2002/0077222 (Daly '222). Applicant has cancelled, without prejudice, all pending claims and replaced them with claims 61-98. For the following reasons, Applicant respectfully asserts that claims 61-98 are in condition for allowance and such allowance is earnestly solicited:

Daly '222 does not teach each and every element of the claims as amended. As MPEP §2131 provides:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a *single* prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (*italics added*). ... "The identical invention must be shown in as complete detail as contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim."

For the aforementioned reasons, Applicant respectfully asserts that claims 61-98 are in condition for allowance and such allowance is earnestly solicited.